pleased to extend the provisions of the said Act to an area of land wholly the property of Government, and being wholly irrigable from canals the property of Government, and comprising 151,177 acres or thereabouts, situated in the Moro and Sákrand Tálukas of the Hyderabad District of the Province of Sind irrigable from the Bag Wah extensions of the Nasrat and Naulákhi Canals.

EXTENDING THE ACT TO THE LANDS IN THE UMARKOT TÁLUKA OF THE THAR AND PÁRKAR DISTRICT IRRIGABLE FROM THE HIRAL WÁH CANAL.

Notn. No. 1273-A., Revenue, dated 22nd February 1902, B. G. G., 1902, Pt. I, p. 323.

In exercise of the powers conferred by Section 3 of the Government Occupants (Sind) Act, 1899, His Excellency the Governor in Council is pleased to extend the provisions of the said Act to an area of land the property or about to become the property of Government, and being wholly irrigable from canals the property of Government, and comprising 56,566 acres or thereabouts, situated in the Umarkot Táluka of the Thar and Párkar District of the Province of Sind, the said area being irrigable from the Hiral Wáh Canal.

RULES AND ORDERS UNDER BOMBAY ACT III OF 1901.

(DISTRICT MUNICIPALITIES.)

THE DISTRICT MUNICIPAL ELECTION RULES, 1891 (BOMBAY PRESIDENCY).

[a] *Notn. No. 3060, General, dated 29th August 1891, B. G. G., 1891, Pt. I-A, p. 88.*

In exercise of the powers conferred by Section 12 (*c*) of the Bombay District Municipal Act Amendment Act, 1884, and in supersession of all rules heretofore made under that sub-section, the Governor in Council is pleased to make the following rules prescribing the qualifications of voters and of candidates at elections of municipal commissioners in every municipal district in the Presidency in which elective commissioners have to be appointed, except in Sind, and regulating the conduct of such elections, namely :—

Preliminary.

Title of these rules.

1. These rules may be cited as "the District Municipal Election Rules, 1891."

2. In these rules :

Definitions.

(1) "a new municipality" means a municipality newly established by the Governor in Council, but of which the first municipal commissioners have not yet entered upon their office;

[a] This Notification, issued under Bombay Act II of 1884, is kept in force by Act III of 1901, Section 2(*1*)(*b*).

(2) "the Collector" means the Collector of the district in which any municipality in question is situate, and includes an Assistant or Deputy Collector to whom the Collector delegates, as he is hereby empowered to delegate, any of his powers or duties under these rules;

(3) "the Act" means the Bombay District Municipal Act Amendment Act, 1884.

Wards.

Division of municipal districts into wards and apportionment of elective commissioners thereover.

3. (1) If the population of a municipal district, as ascertained at the latest census, is not less than six thousand, the Collector, in the case of a new municipality and the municipality in every other case, may divide the said district for electoral purposes into two or more wards, the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective commissioners over the said wards in the proportion, as nearly as may be, of the population or estimated population thereof.

[a] (1*a*.) The wards into which any municipal district of which the population, ascertained as aforesaid, is not less than six thousand, is at present divided for electoral purposes shall be deemed to have been fixed by the Collector or the Municipality, as the case may be, under clause (1), and the Collector or Municipality, as the case may be, shall be deemed to have determined under the said clause that one Commissioner shall be elected by each of the said wards.

(2) The municipality may from time to time alter the number and boundaries of the wards and re-apportion the number of elective commissioners among the wards: provided that [b] *except with the sanction of the Commissioner of the Division* [b], no such alteration or re-apportionment shall take effect within six months from the date on which it is made and that every such re-apportionment be made in the proportion aforesaid.

List of Voters.

By whom and in what manner and at what periods lists of voters are to be prepared.

4. (1) The Collector shall from time to time appoint the Secretary or some other officer of the municipality, or, in the case of a new municipality, any person whom he thinks fit, to prepare a list of voters.

(2) If the municipal district has been divided for electoral purposes into wards, such list shall show the persons entitled to vote in each ward separately.

(3) In the case of a municipality, whether a new municipality or not, to which elective commissioners are to be appointed for the first time after these rules come into force, the said list shall be prepared as soon as may be after

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[a] This clause was added by G. N. No. 567-A, General, dated 22nd February 1892, *B. G. G.*, 1892, Pt. I-*A*, p. 20.

[b-] These words in italics were inserted by G. N. No. 4259, General, dated 9th December 1891, *B. G. G.*, 1891, Pt. I.-*A*, p. 156.

it has been notified by the Governor in Council that the municipality shall consist wholly or partly of such commissioners.

(4) Similar new lists shall be prepared every year by the Secretary or other officer of the Municipality appointed as aforesaid. This provision shall apply also to municipalities for which one or more lists of voters have been prepared under the District Municipal Election Rules published in Government Notification No. 115 of 14th January 1885, as amended by subsequent Government Notifications; but in their case the first period of one year shall count from the date of the publication of the last list under the said rules.

Publication of lists.

5. Every list prepared under Rule 4 shall be published by affixing copy thereof, in English and the vernacular language of the district, at the municipal office or in the case of a new municipality, at the village chávdi and at such other conspicuous place or places within the municipal district as the Municipality, or, in the case of a new municipality, the Collector shall appoint, at least six weeks before the date hereinbelow specified, *viz.*:—

(*a*) in the case of an existing municipality, for which a new constitution is for the first time notified by the Governor in Council under Section 11 of the Act, the date fixed by the Governor in Council for the commencement of the new constitution of such municipality;

(*b*) in the case of a new municipality, such date as the Collector, in his discretion fixes for the commencement of the terms of office of the first municipal commissioners;

(*c*) in respect of every list of voters after the first, the fifteenth day of February [a] or such other date as the Commissioner of the Division may determine by notice to be given by him in that behalf and to be affixed at the Municipal office[a].

Qualifications of voters.

6. Unless disqualified under Section 22 of the Act on account of age, all persons qualified as voters under Section 12 (*d*) of the Act, and the following persons, whether of the male or female sex, shall be entitled to have their names entered in the lisf of voters, *viz.*:—

(*a*) Barristers-at-Law or Advocates of the High Court;

(*b*) Licentiates of Medicine, Surgery or Civil Engineering;

(*c*) Persons upon whom the title of "Ráo Bahádur," "Khán Bahádur," "Ráo Sáheb," or "Khán Sáheb," has been conferred by the British Government;

(*d*) Persons whose names are entered in the latest List of Sardárs published under the authority of Government;

} who have been residents of the municipal district for not less than six consecutive months prior to the date of the publication of the list of voters;

[a-a] These words were added to Rule 5 (*c*) by G. N. No. 3675, General, dtaed 28th June 1898, *B. G. G.*, 1898, Pt. I-*A*, p. 115.

(*e*) Servants of Government or of any public body or of any corporation or of any company registered under the Indian Companies Act whose salary is not less than Rs. 20 *per mensem*;

(*f*) Officiating hereditary Patels and Kulkarnis;

(*g*) Persons in receipt of a pension of not less than Rs. 15 *per mensem* from Government or from any public body or corporation or company registered as aforesaid;

(*h*) Persons paying income-tax;

} who have been residents of the municipal district for not less than six consecutive months prior to the date of the publication of the list of voters.

(*i*) Conciliators appointed under the Dekkhan Agriculturists' Relief Act, 1879;

(*j*) in the case of a new municipality, persons holding immoveable property within the municipal district valued by the Collector or such officer as he appoints in this behalf, at Rs. 250 or more; and persons who have been residents of the municipal district for not less than six consecutive months prior to the date of the publication of the list of voters and who have paid to Government or to an inámdár for the last revenue year previous to the said date, on account of land-revenue, or of rent of land, a sum of Rs. 30 or more:

Provided that:

(1) when any qualification prescribed by this rule or by Section 12 (*d*) of the Act is possessed by a firm, the name of the resident member manager or agent, or of the principal resident member, manager or agent, of such firm shall, unless he is disqualified under Section 22 of the Act on account of age, be entitled to have his name entered in the list of voters on behalf of such firm;

(2) if any person, whose name is entered in the said list on behalf of a firm, possesses on his own separate account any qualification prescribed as aforesaid, he shall be entitled to have his name entered in the said list separately on his own account;

(3) except in the case mentioned in proviso (2), no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 (*d*) of the Act.

Each voter to have a vote in one ward only.

7. When a municipal district is divided for electoral purposes into wards, each voter shall be entitled to vote in the ward in which he resides, or, in the case of a qualification arising from the payment of municipal taxes, in the ward in which his liability to pay the same occurs:

Provided that:

(*a*) no person shall be entitled to vote in more than one ward;

(*b*) any person possessing the qualifications of a voter in connection with more than one ward shall be at liberty to choose for which of such wards he shall be entitled to vote, and failing his doing so within a week after public notice has been given calling upon all such persons

to make their choice, shall be entitled to vote in such ward as the Municipality, or, in the case of a new municipality, the Collector shall determine.

Revision of lists.

8. (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein, may apply in writing within a fortnight from the date of publication of the list, to the officer or other person appointed under Rule 4 to prepare the list, for the amendment thereof.

(2) The officer or other person appointed as aforesaid shall forthwith forward every such application, with his report thereupon, for the decision of the Municipality or, in the case of a new municipality, of the Collector.

(3) The officer or other person appointed to prepare the list may also bring to the notice of the Municipality or, in the case of a new municipality, of the Collector, within a fortnight from the date of publication of the list any additions to or corrections in the list, which he shall discover to be necessary, otherwise than on the application of any person interested therein.

(4) Notice of every application under sub-section (1) and of every reference under sub-section (3) shall be given by the Municipality or Collector receiving the same to any person affected thereby, and the Municipality at its next meeting, or the Collector, on such early date as he may fix in this behalf in the notice, shall consider and pass order on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made, and a copy of every order, whether upon an application or a reference, shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters.

(5) An appeal shall lie to the Collector from the decision of a Municipality on any such application or reference; but the Collector may decline to entertain any appeal which is not presented to him within ten days from the date when the decision of the Municipality is communicated to the appellant.

(6) Every order passed by the Collector under this rule shall be final.

Publication of additions, &c., made on revision of lists.

9. All additions to and corrections in the list of voters, made under the authority of the Municipality or of the Collector on appeal or otherwise, shall be published in the manner prescribed in Rule 5 at least a week before the date specified in that rule.

Custody of list.

[a] *9A*. Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipality, and the said book shall be kept in the municipal chest or safe under lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book.

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[a] This additional rule was added by G. N. No. 494, General, dated 15th February 1893, *B. G. G.*, 1893, Pt. I-*A*, p. 12.

Voters and Candidates at Elections.

What persons may vote at a municipal election.

10. (1) Only those persons shall be entitled to vote at a municipal election, whose names are entered in the revised list of voters of the municipal district in which such election is held, last published before the date of the election.

(2) If the municipal district has been sub-divided for electoral purposes into wards, the said persons shall be entitled to vote only in the ward for which their names are, respectively, entered in the said list.

What persons may be candidates at a municipal election.

11. (1) Every person who is entitled to vote at any election under these rules shall, unless disqualified under Section 16 of the Act, be qualified to be a candidate for a municipal commissionership at such election.

(2) If the municipal district has been sub-divided for electoral purposes into wards, any person whose name is entered in the list aforesaid as entitled to vote in one ward may be a candidate for election either in the ward for which his name is so entered or in any other ward.

Time and Place for Elections.

Collector to fix and publish times and places for elections.

12. The dates on which the hours during which and the places at which municipal elections shall be held shall be fixed by the Collector, by written notice published in English and the vernacular language of the district, not less than fifteen days before the earliest date prescribed in such notice. Copies of the notice shall be affixed at the municipal office, or in the case of a new municipality, at the village chávdi and at such other conspicuous place or places within the municipal district as the municipality or, in the case of a new municipality, the Collector appoints for this purpose.

Nomination of Candidates.

Nomination how and by whom to be made.

13. (1) Every person who desires or is willing to become a candidate for a municipal commissionership must be nominated in writing for this purpose by two persons entitled to vote at the election for such municipal commissionership, and the nomination-paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he should be elected, and be delivered to the officer appointed by the Collector for this purpose at least seven days before the date fixed for the election.

(2) The said officer shall, if any nomination-paper is prepared and delivered to him in accordance with sub-section (1), and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate, include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the municipal office, or, in the case of a new municipality, at the village chávdi or such other place as the Collector appoints for this purpose, and at the place at which the election is to be held and in other conspicuous places, at least five days before the date fixed for the election.

(3) When, in a municipal district which has been sub-divided for electoral purposes into wards, elections are to be held at or about the same time in two or more wards, one and the same person may be nominated for election in all or in any number of the said wards.

Conduct of Elections.

Appointment of polling officer.

14. A polling-officer shall be appointed by the President of the Municipality, or, in the case of a new municipality, by the Collector to preside at each place at which an election is to be held and to receive votes thereat. If possible, the polling-officer shall be a person who is acquainted with, and therefore able to identify, the voters or the greater number of them.

Printed voting-papers to be used.

15. On the day of the election, each intending voter shall, as he arrives at the place appointed for holding the election, receive a printed voting-paper in the following form :—

"*Vote for the election of a Municipal Commissioner for the municipal district (or ward) of*—

Name of candidate voted for.	Signature or mark of voter (or name of voter and signature or mark of proxy *as the case may be*).	Address of voter.

Signed in my presence.

(Signed)

Polling-officer.

Dated the of 18 ."

For how many and for what persons votes may be given.

16. Every voter may vote for as many candidates as there are commissioners to be elected for the municipal district or ward, as the case may be. A vote for any person whose name is not included in the list of candidates published under Rule 13 shall not be received.

Females only may vote by proxy.

17. (1) Females may vote by proxy : provided that :—

(*a*) the proxy empowering any person to vote for a female shall bear on the face of it the date of its execution and shall be attested by a Magistrate, or, when there is no Magistrate residing in the municipal district, by the officer or other person appointed under Rule 4 to prepare the list of voters, and

(*b*) if two proxies are presented at one election on behalf of one and the same female, both shall be void.

(2) In every other case the voters must vote in person.

18. If a voter or proxy is able to read and write without difficulty, he shall fill up and sign the voting-paper in the presence of the polling-officer; but if a voter or proxy asserts that he is not able to read and write at all, or not without difficulty, the paper shall be filled up by the polling-officer or by some other person under the polling-officer's direction, at the voter's or proxy's dictation, and the latter shall affix his signature or mark thereto in the presence of the polling-officer, who shall attest the same by his signature or initials and shall, at the same time, proclaim aloud the name which such voter or proxy asserts to be his, and, in the case of a proxy, the name of the voter by whom the proxy purports to have been given.

Filling up of voting-papers in presence of the polling-officer.

19. No vote shall be received by the polling-officer from or on behalf of any person who, under Rule 10, is not entitled to vote at the election.

What votes shall be allowed by the polling-officer.

20. The polling-officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction.

The polling-officer to satisfy himself of identity of persons tendering votes.

21. Each person whose vote is allowed by the polling-officer shall drop his voting-paper, in the presence of the polling-officer, into a box which has been previously sealed by the President of the Municipality or by such Municipal Commissioner or officer as the President appoints in this behalf, with the municipal seal, or, in the case of a new municipality, by the Collector or such officer as the Collector appoints in this behalf with the Collector's seal.

Use and provision of voting-boxes.

(2) One or more boxes so sealed shall be provided by the municipality, or, in the case of a new municipality, by the Collector or such officer as he appoints in his behalf, for each place at which votes are to be received. The cost of boxes so provided in the case of a new municipality shall be paid by the said municipality as soon as may be after its first commissioners come into office.

22. After the close of the poll, the polling-officer shall forthwith forward the box or boxes aforesaid with its seal or their several seals intact, to the President of the Municipality or to such Municipal Commissioner or officer as the President appoints in this behalf, or in the case of a new municipality, to the Collector or to such officer as the Collector appoints in this behalf.

Voting-boxes how to be disposed of by polling-officer.

Determination of Results of Elections.

23. (1) The boxes aforesaid shall be opened in the presence of the municipal commissioners at a special general meeting convened for this purpose, or, in the case of a new municipality, in the presence of the Collector or of such officer as the Collector appoints in this behalf.

Scrutiny of votes and declaration of results of elections.

(2) The votes shall then be scrutinized and those that are valid counted by such persons as the meeting or the Collector or other officer aforesaid appoints in this behalf.

(3) The result of the election on being ascertained at a special general meeting of the municipal commissioners shall be declared by the Chairman

of such meeting and shall be recorded in the minutes of the proceedings of the meeting. In any other case, the result shall be declared by the Collector or by the officer appointed by him as aforesaid.

Proceedings when two or more candidates have an equal number of votes, &c.

24. (1) If there is an equal number of votes in favour of each of two or more candidates for one commissionership, the selection of one of such persons shall be made by lot by the Chairman of the aforesaid meeting, in such manner as the meeting shall determine, or, in the case of a new municipality, by the Collector or by the officer appointed by the Collector as aforesaid, in such manner as the Collector or the said officer shall determine.

(2) In the event of any person being elected for two or more wards, such person shall be at liberty to choose the ward which he will represent, and failing his doing so within forty-eight hours after the declaration of the result of the election, he shall represent such of the said wards as the Collector shall determine. In every other ward for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent, the result of the election shall be determined as if no votes had been recorded for him.

Custody and Destruction of Voting-papers.

Safe custody of voting-papers and polling-officer's memoranda.

25. When the voting-papers have been scrutinized, they shall be replaced in the box from which they were taken, and the box, after being locked and sealed with the municipal seal, or, in the case of a new municipality, with the Collector's seal, shall be kept by the municipality, or, in the case of a new municipality, by or under the direction of the Collector, in safe custody for a period of fifteen days from the date of the declaration of the result of the election.

Eventual destruction of voting-papers and polling-officer's memoranda.

26. (1) On the expiry of fifteen days from the said date, or if an application regarding the election is made to the District Judge under Section 23 of the Act, and such application is not finally disposed of before the expiry of fifteen days from the said date, then whenever such application has been finally disposed of, the voting-papers shall be destroyed in the presence of such municipal commissioner or officer as the municipality appoints for this purpose, or in the case of a new municipality, in the presence of the Collector or of such officer as the Collector appoints in this behalf.

(2) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid, the municipal commissioner or officer appointed as aforesaid or, in the case of a new municipality, the Collector or officer appointed by him as aforesaid shall cause the voting-papers to be kept pending the final disposal of the said application.

Gazetting of Results of Elections.

Publication of results of elections in the *Bombay Government Gazette*.

27. The result of every election declared at a special general meeting under Rule 23 shall be certified by the Chairman of such meeting to the Collector who shall cause the same to be notified in the *Bombay Government Gazette*. The Collector shall also cause the result of every election declared under the said rule by himself, or by an officer appointed by him, to be published in the said Gazette.

THE DISTRICT MUNICIPAL ELECTION RULES, 1892 (SIND).

[a] *Commissioner, Notn. No. 863, dated 20th May 1892, S. O. G., 1892, Pt. I-A, p. 25.*

In exercise of the powers conferred by Sections 12 (*c*) and 47 of the Bombay District Municipal Act Amendment Act, 1884, and in supersession of all rules heretofore made under those sections, the Commissioner in Sind is pleased to make the following rules prescribing the qualifications of voters and of candidates at elections of Municipal Commissioners in every Municipal district in Sind in which elective Commissioners have to be appointed, and regulating the conduct of such elections, namely :—

Preliminary.

Title of these rules.

1. These rules may be cited as "the District Municipal Election Rules, 1892."

Definitions.

2. In these rules :

(1) "A new Municipality" means a Municipality newly established by the Commissioner in Sind, but of which the first Municipal Commissioners have not yet entered upon their office ;

(2) "the Collector" means the Collector of the district in which any Municipality in question is situate, and includes an Assistant or Deputy Collector to whom the Collector delegates, as he is hereby empowered to delegate, any of his powers or duties under these rules ;

(3) "the Act" means the Bombay District Municipal Act Amendment Act, 1884.

Wards.

Division of Municipal districts into wards and apportionment of elective Commissioners thereover.

3. (1) If the population of a Municipal district, as ascertained at the latest census, is not less than six thousand, the Collector, in the case of a new Municipality, and the Municipality, subject to the approval of the Collector in every other case, may divide the said district for electoral purposes into two or more wards, the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective Commissioners over the said wards in the proportion, as nearly as may be, of the population or estimated population thereof.

(1*a*) The wards into which any Municipal district, of which the population ascertained as aforesaid, is not less than six thousand, is at present divided for electoral purposes, shall be deemed to have been fixed by the Collector or the Municipality with the Collector's approval, as the case may be under clause (1), and the Collector or Municipality, as the case may be, shall be deemed to have determined under the said clause that one Commissioner shall be elected by each of the said wards.

[a] See footnote [a] on page 859, *supra*.

(2) The Municipality, subject to the approval of the Collector, may from time to time alter the number and boundaries of the wards and reapportion the number of elective Commissioners among the wards: provided that no such alteration or re-apportionment shall take effect within six months from the date on which it is made, and that every such re-apportionment be made in the proportion aforesaid.

List of Voters.

By whom and in what manner and at what periods lists of voters are to be prepared.

4. (1) The Collector shall from time to time appoint the Secretary or some other officer of the Municipality, or, in the case of a new Municipality any person whom he thinks fit, to prepare a list of voters.

(2) If the Municipal district has been divided for electoral purposes into wards, such list shall show the persons entitled to vote in each ward separately.

(3) In the case of a Municipality, whether a new Municipality or not, to which elective Commissioners are to be appointed for the first time after these rules come into force, the said list shall be prepared as soon as may be after it has been notified by the Commissioner in Sind that the Municipality shall consist wholly or partly of such Commissioners.

(4) Similar new lists shall be prepared every year by the Secretary or other officer of the Municipality appointed as aforesaid. This provision shall apply also to Municipalities for which one or more lists of voters have been prepared under the District Municipal Election Rules published in the Commissioner's Notification No. 2758 of the 16th July 1884, as amended by subsequent notifications; but in their case the first period of one year shall count from the date of the publication of the last list under the said rules.

Publication of lists.

5. Every list prepared under Rule 4 shall be published by affixing a copy thereof, in English and in the vernacular language of the district, at the Municipal office, Collector's or Mukhtiarkar's kacheri and in such other conspicuous places in the ward to which the list relates as the Municipality, with the Collector's approval, or, in the case of a new Municipality, the Collector, shall appoint, at least six weeks before the date hereinbelow specified, *viz.*:—

(*a*) in the case of an existing Municipality for which a new constitution is for the first time notified by the Governor in Council under Section 11 of the Act, the date fixed by the Commissioner in Sind for the commencement of the new constitution of such Municipality;

(*b*) in the case of a new Municipality, such date as the Collector in his discretion, fixes for the commencement of the terms of office of the first Municipal Commissioners;

(*c*) in respect of every list of voters after the first, the fifteenth day of February [a] or, with the previous sanction of the Commissioner in Sind, such other date, not being later than the date of expiry of the term of the existing Board, as may be determined by the said Board[a].

Qualifications of voters.

6. Unless disqualified under Section 22 of the Act on account of age, all persons qualified as voters under Section 12 (*d*) of the Act, and the following persons, whether

[a—a] These words were added to Rule 5 (*c*) by Commissioner's Notification No. 318, dated 17th February 1901, *S. O. G.*, 1901, Pt. I-A, p. 7.

of the male or female sex, shall be entitled to have their names entered in the list of voters :—

[a](*a*) Barristers-at-Law or Advocates of the High Court, and Pleaders holding Sanáds from the Sadar Court ;

(*b*) Licentiates of Medicine, Surgery or Civil Engineering ;

(*c*) Persons upon whom the title of "Ráo Bahádur," "Khán Bahádur," "Ráo Sáheb" or "Khán Sáheb" has been conferred by the British Government ;

(*d*) Persons whose names are entered in the latest list of Sardars published under the authority of Government ;

(*e*) Servants of Government or of any public body or of any corporation or of any company registered under the Indian Companies Act whose salary is not less than Rs. 20 *per mensem* ;

(*f*) persons in receipt of a pension of not less than Rs. 15 *per mensem* from Government or from any public body or corporation or company registered as aforesaid ;

(*g*) Persons paying income-tax ;

} Who have been residents of the Municipal district for not less than six consecutive months prior to the date of the publication of the list of voters ;

(*h*) All persons paying municipal house-tax of not less than Rs. 10 *per annum* or other direct Municipal taxes of Rs. 20 *per annum* ;

(*i*) in the case of a new Municipality, persons holding immoveable property within the Municipal district valued by the Collector, or such officer as he appoints in this behalf, at Rs. 250 or more ; and persons who have been residents of the Municipal district for not less than six consecutive months prior to the date of the publication of the list of voters, and who have paid to Government or to an inámdár for the last revenue year previous to the said date, on account of land revenue, or of rent of land, a sum of Rs. 30 or more.[a]

Provided that—

(1) when any qualification prescribed by this rule or by Section 12 (*d*) of the Act is possessed by a firm, the resident member, manager or agent or the principal resident member, manager or agent of such firm shall, unless he is disqualified under Section 22 of the Act on account of age, be entitled to have his name entered in the list of voters on behalf of such firm ;

(2) if any person, whose name is entered in the said list on behalf of a firm, possesses on his own separate account any qualification prescribed as aforesaid, he shall be entitled to have his name entered in the said list separately on his own account ;

[a–a] These clauses were substituted for the original clauses (*a*) to (*i*) of Rule 6 by Commissioner's Notification No. 737, dated 11th April 1894, *S. O. G.*, 1894, Pt. I-A, p. 29.

(3) except in the case mentioned in proviso (2), no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule by Section 12 (*d*) of the Act.

Each voter to have a vote in one ward only.

7. When a Municipal district is divided for electoral purposes into wards, each voter shall be entitled to vote in the ward in which he resides, or, in the case of a qualification arising from the payment of Municipal taxes, in the ward in which his liability to pay the same occurs.

Provided that—

(*a*) no person shall be entitled to vote in more than one ward;

(*b*) any person possessing the qualifications of a voter in connection with more than one ward shall be at liberty to choose for which of such wards he shall be entitled to vote, and, failing his doing so within a week after public notice has been given calling upon all such persons to make their choice, shall be entitled to vote in such ward as the Municipality, or, in the case of a new Municipality, the Collector shall determine.

Revision of lists.

8. (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein, may apply in writing within a fortnight from the date of publication of the list, to the officer or other person appointed under Rule 4 to prepare the list, for the amendment thereof.

(2) The officer or other person appointed as aforesaid shall forthwith forward every such application, with his report thereupon, for the decision of the Municipality or, in the case of a new Municipality, of the Collector.

(3) The officer or other person appointed to prepare the list may also bring to the notice of the Municipality or, in the case of a new Municipality, of the Collector, within a fortnight from the date of publication of the list, any additions to or corrections in the list, which he shall discover to be necessary, otherwise than on the application of any person interested therein.

(4) Notice of every application under sub-section (1) and of every reference under sub-section (3) shall be given by the Municipality or Collector receiving the same to any person affected thereby, and the Municipality, at its next meeting, or the Collector, on such early date as he may fix in this behalf in the notice, shall consider and pass order on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order, whether upon an application or reference, shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters.

(5) An appeal shall lie to the Collector from the decision of a Municipality on any such application or reference; but the Collector may decline to entertain any appeal which is not presented to him within ten days from the date when the decision of the Municipality is communicated to the appellant.

(6) Every order passed by the Collector under this rule shall be final.

Publications of additions, &c., made on revision of lists.

9. All additions to and corrections in the list of voters, made under the authority of the Municipality or of the Collector on appeal or otherwise, shall be published in the manner prescribed in Rule 5 at least a week before the date specified in that rule.

[a] 9*A*. Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipality, and the said book shall be kept in the Municipal chest or safe under lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book.

Voters and Candidates at Elections.

What persons may vote at a Municipal election.

10. (1) Only those persons shall be entitled to vote at a Municipal election whose names are entered in the revised list of voters of the Municipal district in which such election is held, last published before the date of the election.

(2) If the Municipal district has been sub-divided for electoral purposes into wards, the said persons shall be entitled to vote only in the ward for which their names are, respectively, entered in the said list.

What persons may be candidates at a Municipal election.

11. (1) Every person who is entitled to vote at any election under these rules shall, unless disqualified under section 16 of the Act, be qualified to be a candidate for a Municipal Commissionership at such election.

(2) If the Municipal district has been sub-divided for electoral purposes into wards, any person whose name is entered in the list aforesaid as entitled to vote in one ward may be a candidate for election either in the ward for which his name is so entered or in any other ward.

Time and Place for Elections.

Collector to fix and publish times and places for elections.

12. The dates on which, the hours during which and the places at which Municipal elections shall be held shall be fixed by the Collector, by written notice published in English and in the vernacular language of the district, not less than fifteen days before the earliest date prescribed in such notice. Copies of the notice shall be affixed at the Municipal office, Collector's or Mukhtiarkar's kacheri and in such other conspicuous places in the ward as the Municipality or, in the case of a new Municipality, the Collector appoints for this purpose.

Nomination of Candidates.

Nomination how and by whom to be made.

13. (1) Every person who desires or is willing to become a candidate for a Municipal Commissionership must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Commissioner-

[a] This additional rule was added by Commissioner's Notification No. 653, dated 4th March 1893, *B. O. G.*, 1893, Pt. I-A, p. 11.

ship, and the nomination-paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he should be elected, and be delivered to the officer appointed by the Collector for this purpose at least seven days before the date fixed for the election.

(2) The said officer shall, if any nomination-paper is prepared and delivered to him in accordance with sub-section (1), and if the nominators are entitled to vote at the election and the nominee is qualified as a candidate, include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the Municipal office, Collector's or Mukhtiarkar's kacheri and in such other conspicuous places as the Collector appoints for this purpose, and at the place at which the election is to be held, at least five days before the date fixed for the election.

(3) When, in a Municipal district which has been sub-divided for electoral purposes into wards, elections are to be held at or about the same time in two or more wards, one and the same person may be nominated for election in all or in any number of the said wards.

Conduct of Elections.

Appointment of polling-officer.

14. A polling-officer shall be appointed by the Collector to preside at each place at which an election is to be held and to receive votes thereat. If possible, the polling-officer shall be a person who is acquainted with, and therefore able to identify, the voters or the greater number of them.

Printed voting-papers to be used.

15. On the day of the election, each intending voter shall, as he arrives at the place appointed for holding the election, receive a printed voting-paper in the following form : —

"Vote for the election of a Municipal Commissioner for the Municipal district (or ward) of—

Name of candidate voted for.	Signature or mark of voter (or name of voter and signature or mark of proxy, *as the case may be*).	Address of voter.

Signed in my presence.

(Signed)

Polling-officer.

Dated the of 18 ."

For how many and for what persons votes may be given.

16. Every voter may vote for as many candidates as there are Commissioners to be elected for the Municipal district or ward, as the case may be. A vote for any person whose name is not included in the list of candidates published under Rule 13 shall not be received.

Females only may vote by proxy.

17. (1) Females may vote by proxy :

Provided that—

(*a*) the proxy empowering any person to vote for a female shall bear on the face of it the date of its execution and shall be attested by a Magistrate, or, when there is no Magistrate residing in the Municipal district, by the officer or other person appointed under Rule 4 to prepare the list of voters, and

(*b*) if two proxies are presented at one election on behalf of one and the same female, both shall be void.

(2) In every other case, the voters must vote in person.

Filling up of voting-papers in presence of the polling-officer.

18. If a voter or proxy is able to read and write without difficulty, he shall fill up and sign the voting-paper in the presence of the polling-officer; but if a voter or proxy asserts that he is not able to read and write at all, or not without difficulty, the paper shall be filled up by the polling-officer or by some other person under the polling-officer's direction, at the voter's or proxy's dictation, and the latter shall affix his signature or mark thereto in the presence of the polling-officer, who shall attest the same by his signature or initials and shall, at the same time, proclaim aloud the name which such voter or proxy asserts to be his, and, in the case of a proxy, the name of the voter by whom the proxy purports to have been given.

What votes shall be allowed by the polling-officer.

19. No vote shall be received by the polling-officer from or on behalf of any person who, under Rule 10, is not entitled to vote at the election.

The polling-officer to satisfy himself of identity of persons tendering votes.

20. The polling-officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose, or whose identity is not established to his satisfaction.

Use and provision of voting boxes.

21. (1) Each person whose vote is allowed by the polling-officer shall drop his voting-paper, in the presence of the polling-officer, into a box which has been previously sealed by the President of the Municipality or by such Municipal Commissioner or officer as the President appoints in this behalf with the Municipal seal, or, in the case of a new Municipality, by the Collector or such officer as the Collector appoints in this behalf, with the Collector's seal.

(2) One or more boxes so sealed shall be provided by the Municipality, or, in the case of a new Municipality by the Collector or such officer as he appoints in this behalf, for each place at which votes are to be received. The cost of boxes so provided in the case of a new Municipality shall be paid by the said Municipality as soon as may be after its first Commissioners come into office.

Voting-boxes how to be disposed of by polling-officer.

22. After the close of the poll, the polling-officer shall forthwith forward the box or boxes aforesaid, with its seal or their several seals intact, to the President of the Municipality or to such Municipal Commissioner or officer as the President appoints in this behalf, or, in the case of a new Municipality, to the Collector or to such officer as the Collector appoints in this behalf.

Determination of Results of Elections.

Scrutiny of votes and declaration of results of elections.

23. (1) The boxes aforesaid shall be opened in the presence of the Municipal Commissioners at a special general meeting convened for this purpose, or, in the case of a new Municipality, in the presence of the Collector or of such officer as the Collector appoints in this behalf.

(2) The votes shall then be scrutinized, and those that are valid counted by such persons as the meeting or the Collector or other officer aforesaid appoints in this behalf.

(3) The result of the election on being ascertained at a special general meeting of the Municipal Commissioners shall be declared by the Chairman of such meeting and shall be recorded in the minutes of the proceedings of the meeting. In any other case, the result shall be declared by the Collector or by the officer appointed by him as aforesaid.

Proceedings when two or more candidates have an equal number of votes, &c.

24. (1) If there is an equal number of votes in favour of each of two or more candidates for one Commissionership, the election of one of such persons shall be made by lot by the Chairman of the aforessid meeting, in such manner as the meeting shall determine, or, in the case of a new Municipality, by the Collector or by the officer appointed by the Collector as aforesaid, in such manner as the Collector or the said officer shall determine.

(2) In the event of any person being elected for two or more wards, such person shall be at liberty to choose the ward which he will represent, and, failing his doing so within forty-eight hours after the declaration of the result of the election, he shall represent such of the said wards as the Collector shall determine. In every other ward for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent, the result of the election shall be determined as if no votes had been recorded for him.

Custody and Destruction of Voting-papers.

Safe custody of voting-papers and polling-officer's memoranda.

25. When the voting-papers have been scrutinized, they shall be replaced in the box from which they were taken and the box, after being locked and sealed with the Municipal seal, or, in the case of a new Municipality, with the Collector's seal, shall be kept by the Municipality, or, in the case of a new Municipality, by or under the direction of the Collector, in safe custody for a period of fifteen days from the date of the declaration of the result of the election.

Eventual destruction of voting-papers and polling-officer's memoranda.

26. (1) On the expiry of fifteen days from the said date, or if an application regarding the election is made to the District Judge under section 23 of the Act, and such application is not finally disposed of before the expiry of fifteen days from the said date, then whenever such application has been finally disposed of, the voting-papers shall be destroyed in the presence of such Municipal Commissioner or officer as the Municipality appoints for this purpose or, in the case of a new Municipality, in the presence of the Collector or of such officer as the Collector appoints in this behalf.

(2) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid, the Municipal Commissioner or officer appointed as aforesaid, or, in the case of a new Municipality, the Collector or officer appointed by him as aforesaid shall cause the voting-papers to be kept pending the final disposal of the said application.

Gazetting of Results of Elections.

Publication of results of elections in the *Sind Official Gazette.*

27. The result of every election declared at a special general meeting under Rule 23 shall be certified by the Chairman of such meeting to the Collector, who shall cause the same to be notified in the *Sind Official Gazette.* The Collector shall also cause the result of every election declared under the said rule by himself, or by an officer appointed by him, to be published in the said *Gazette.*

28. On a vacancy occurring in a Municipality between two general elections it shall be reported without loss of time to the Collector by the President of the Municipality, and the above rules shall apply to such bye-elections except Rules 8 and 9. The last revised list of voters shall be published and persons entered in that list, unless disqualified in the meantime, shall alone be considered entitled to vote. [a]Provided that no bye-election shall, except, with the sanction of the Commissioner in Sind be held later than one month after the vacancy is reported [a].

THE AHMEDABAD MUNICIPAL ELECTION RULES, 1891.

[b] *Notn. No. 125, General, dated 16th January 1892, B. G. G., 1892, Pt. IA, p. 6.*—In exercise of the power conferred by clauses (*c*) and (*d*) of Section 12 of the Bombay District Municipal Act Amendment Act, 1884, and in supersession of so much of Government Notification No. 2310 of 4th July 1888[1] (published in the *Bombay Government Gazette* for 1888, Part I-A, pages 108 and 109) as regulates elections of municipal commissioners to the Municipality of Ahmedabad, the Governor in Council is pleased to make the following rules prescribing the qualifications of voters and of candidates at elections of municipal commissioners to the said Municipality, and regulating the conduct of such elections, *viz.* :—

1. These rules may be cited as "The Ahmedabad Municipal Election Rules, 1891."

2. Of the [c] 18 elective commissioners in the Municipality of Ahmedabad, [c] 8 shall be elected by voters of the following classes, the election being general for the whole municipal district and not by wards, and each voter being entitled to vote for [c] 3 candidates:—

(*a*) Fellows of any University.

(*b*) Barristers-at-Law or Advocates of the High Court.

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(1) The remaining portion of the notification was superseded by notification No. 904, dated 22nd March 1892, printed at page 34 of the *B. G. G.*, 1892, Pt. I-A.

[a—a] This sentence was substituted for the last sentence of Rule 28 by Commissioner's Notification No. 1923, dated 28th July 1899, *S. O. G.*, 1899, Pt. I-A, page 5.

[b] See footnote [a] on page 859, *supra.*

[c] As amended by G. N. No. 2223, General, dated 19th April 1902, *B. G. G.*, 1902, Pt. I-A, page 36.

(*c*) Graduates of any University.

(*d*) Pleaders holding a Sanad from the High Court.

(*e*) Jurors and Assessors.

(*f*) Honorary Magistrates.

(*g*) Licentiates of Medicine, Surgery, or Civil Engineering.

(*h*) Persons upon whom the title of "Ráo Bahádur," "Khán Bahádur", "Ráo Sáheb" or "Khán Sáheb" has been conferred by the British Government.

(*i*) Persons whose names are entered in the latest list of Sardárs published under the authority of Government.

(*j*) Servants of Government or of any public body or of any corporation or of any company registered under the Indian Companies' Act whose salary is not less than Rs. 30 per mensem.

(*k*) Persons in receipt of a pension of not less than Rs. 15 per mensem from Government or from any public body or corporation or company registered as aforesaid.

3. (1) The remaining [b] 15 elective commissioners in the said Municipality shall be elected [c] two for the Pura Ward and one for each of the remaining 13 wards into which the City has been divided for electoral purposes, and by voters in each ward of the following classes [c].

(*l*) Persons paying direct municipal taxes or rates of an amount not less then Rs. 4 per annum, other then taxes on wheeled conveyances or riding horses plying for hire or kept for the purpose of being let for hire.

(*m*) Persons paying income-tax.

(*n*) Persons owning immoveable property situated within the municipal district of the [a]rental value of Rs. 48 per year or upwards [a].

(2) A person who is entitled to vote at an election under Rule 2 as belonging to one of the classes (*a*) to (*k*) described in that rule may also vote at a ward election under clause (1) of this rule, if he is duly qualified as belonging to one of the classes (*l*) to (*n*) described in the said clause.

Anything in the District Municipal Election Rules, 1891, which is inconsistent with the two foregoing rules, shall be deemed not to apply to the municipal district of Ahmedabad; otherwise the said District Municipal Election Rules, 1891, shall apply to, and have full operation in, the said district and the 14 wards into which the said district is at present divided for electoral purposes shall be deemed to have been fixed by the Municipality under

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[a—a] The words "rental value of Rs. 48 per year or upwards" were substituted for the words "Value of Rs. 3,000 or upwards" by G. N. No. 1057, General, dated 21st February 1900, *B. G. G.*, 1900, Pt. I-A, page 12.

[b] As amended by G. N. No. 2223, General, dated 19th April 1902, *B. G. G.*, 1902, Pt. I-A, page 36.

[c—c] These words were substituted for the words "by voters of the following classes and the election shall be by wards" by G. N. No. 2223, General, dated 19th April 1902, *B. G. G.*, 1902, Pt IA, page 36.

clause (1) of No. 3 of the said Rules, and the Municipality shall be deemed to have determined under the said clause that one commissioner shall be elected by each of the said 14 wards.

Provided that in respect of the Ahmedabad municipal list of voters to be prepared for the year 1892-93, there shall be deemed to be substituted for the words "the fifteenth day of February" in clause (*c*) of No. 5 of the said rules, the words "the first day of March."

THE CITY OF POONA MUNICIPAL ELECTION RULES, 1892.

[a] *Notn. No. 567, General, dated 22nd February 1892, B. G. G., 1892, Pt. I-A, p. 19.*—In exercise of the power conferred by clauses (*c*) and (*d*) of Section 12 of the Bombay District Municipal Act Amendment Act, 1884 and in supersession of so much of Government Notification No. 3640 of 23rd September 1885 (published in the *Bombay Government Gazette* for 1885, Part I-A, pages 56-57) as regulates elections of Municipal Commissioners to the City Municipality of Poona, the Governor in Council is pleased to make the following rules prescribing the qualifications of voters and of candidates at elections of municipal commissioners to the said Municipality, and regulating the conduct of such elections, *viz* :—

1. These rules may be cited as "The City of Poona Municipal Election Rules, 1892."

2. Of the twenty elective commissioners in the City Municipality of Poona, four shall be elected by voters of the following classes, the election being general for the whole municipal district and not by wards, and each voter being entitled to vote for four candidates :—

(*a*) Fellows of any University,

(*b*) Barristers-at-Law or Advocates of the High Court.

(*c*) Graduates of any University,

(*d*) Pleaders holding a Sanad from the High Court.

(*e*) Jurors and Assessors.

(*f*) Honorary Magistrates.

(*g*) Licentiates of Medicine, Surgery, or Civil Engineering.

(*h*) Persons upon whom the title of "Ráo Bahádur," "Khán Bahádur," "Ráo Sáheb," or "Khán Sáheb" has been conferred by the British Government.

(*i*) Persons whose names are entered in the latest list of Sardárs published under the authority of Government,

(*j*) Servants of Government or of any public body or of any corporation or of any company registered under the Indian Companies Act whose salary is not less than Rs. 30 per mensem.

(*k*) Persons in receipt of a pension of not less than Rs. 15 per mensem from Government or from any public body or corporation or company registered as aforesaid,

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[a] See footnote [a] on page 859, *supra*.

(*l*) Masters and teachers in colleges and schools in receipt of a salary of not less than Rs. 15 per mensem,

(*m*) Conciliators.

(1) The remaining sixteen elective commissioners in the said Municipality shall be elected by voters of the following classes and the election shall be by wards :

(*n*) Persons paying direct municipal taxes or rates of an amount not less than Rs. 3 per annum,

(*o*) Persons paying income-tax,

(*p*) Land-holders whose holdings, situated within municipal limits, are assessed (or, in the case of alienated lands, would be assessed if they were not alienated,) to the land revenue at not less than 48 rupees per annum.

(2) A person who is entitled to vote at an election under Rule 2 as belonging to one of the classes (*a*) to (*m*) described in that rule may also vote at a ward-election under clause (1) of this rule, if he is duly qualified as belonging to one of the classes (*n*) to (*p*) described in the said clause.

4. Anything in the District Municipal Election Rules, 1891, which is inconsistent with the two foregoing rules, shall be deemed not to apply to the municipal district of the City of Poona; otherwise the said District Municipal Election Rules, 1891, shall apply to, and have full operation in, the said district, and the sixteen wards into which the said district is at present divided shall be deemed to have been fixed by the Municipality under clause (1) of No. 3 of the said rules, and the Municipality shall be deemed to have determined under the said clause that one commissioner shall be elected by each of the said sixteen wards.

THE SURAT MUNICIPAL ELECTION RULES, 1891.

[a] *Notn. No. 4382, General, dated 18th December 1891, B. G. G., 1891, Pt. IA, p. 163.*— In exercise of the power conferred by clauses (*c*) and (*d*) of Section 12 of the Bombay District Municipal Act Amendment Act, 1884 and in supersession of so much of Government Notification No. 4875 of 22nd December 1885 (published in the *Bombay Government Gazette* for 1885, Part I-A, page 115-6) as regulates elections of municipal commissioners to the Municipality of Surat, the Governor in Council is pleased to make the following rules prescribing the qualifications of voters and of candidates at elections of municipal commissioners to the said Municipality and regulating the conduct of such elections, *viz.*:—

Title of these rules.

1. These rules may be cited as "The Surat Municipal Election Rules, 1891."

Three commissioners to be elected by voters from the entire municipal district generally.

2. Of the fifteen elective commissioners in the Municipality of Surat, three shall be elected by voters of the following classes, the election being general for the whole municipal district and not by wards, and each voter being entitled to vote for three candidates:—

[a] See footnote [a] on page 859, *supra*.

(*a*) Fellows of any University;

(*b*) Barristers-at-Law or Advocates of the High Court;

(*c*) Graduates of any University;

(*d*) Pleaders holding a Sanad from the High Court;

(*e*) Jurors and Assessors;

(*f*) Honorary Magistrates;

(*g*) Licentiates of Medicine, Surgery or Civil Engineering;

(*h*) Persons upon whom the title of "Ráo Bahádur", "Khán Bahádur" "Ráo Sáheb" or "Khán Sáheb" has been conferred by the British Government;

(*i*) Persons whose names are entered in the latest list of Sardárs published under the authority of Government;

(*j*) Servants of Government or of any public body or of any corporation or of any company registered under the Indian Companies Act, whose salary is not less than Rs. 30 per mensem;

(*k*) Persons in receipt of a pension of not less than Rs. 15 per mensem from Government or from any public body or corporation or company registered as aforesaid;

(*l*) Masters in schools in receipt of a salary of not less than Rs. 15 per mensem.

Twelve commissioners to be elected at ward elections.

3. (*1*) The remaining twelve elective commissioners in the said Municipality shall be elected by voters of the following classes, and the election shall be by wards:—

(*m*) Persons paying direct municipal taxes or rates of an amount not less than Rs. 9 per annum;

(*n*) Persons paying income[1]-tax;

(*o*) Land-holders whose holdings, situated within municipal limits, are assessed (or in the case of alienated lands, would be assessed, if they were not alienated), to the land revenue at not less than 48 rupees per annum;

(*p*) All persons owning real property of the value of Rs. 2,000 and upwards situated within municipal limits.

(*2*) A person who is entitled to vote at an election under Rule 2, as belonging to one of the classes (*a*) to (*l*) described in that rule, may also vote at a ward election under clause (1) of this rule, if he is duly qualified as belonging to one of the classes (*m*) to (*p*) described in the said clause.

Applicability of the District Municipal Election Rules, 1891.

4. Anything in the District Municipal Election Rules, 1891, which is inconsistent with the two foregoing rules, shall be deemed not to apply to the municipal district of Surat; otherwise the said District Municipal Election Rules, 1891, shall apply to, and have full operation in,

(1) The word "income" was substituted for the word "license" by Notification No. 126, General, dated 16th January 1892; *B. G. G.*, 1892, Pt. I-A, page 7.

the said district, and the twelve wards into which the said district is at present divided for electoral purposes shall be deemed to have been fixed by the Municipality under clause (1) of No. 3 of the said rules, and the Municipality shall be deemed to have determined under the said clause that one commissioner shall be elected by each of the said twelve wards.

DELEGATING TO THE COMMISSIONERS OF DIVISIONS THE POWERS, &c., UNDER SECTIONS 11 (*b*), 24 (2) AND 32 (*k*) OF THE ACT.

[a] *Notn. No. 3046, General, dated 27th August 1884, B. G. G., 1884, Pt. I, p. 634.*

His Excellency the Governor in Council is pleased, in accordance with the provisions of Sections 11 (*b*), 24 (paragraph 2) and 32 (*k*) of the District Municipal Act Amendment Act, No. II of 1884, to delegate to the Commissioners of Divisions all powers and duties required to be exercised and performed by the Governor in Council under those sections.

RULES PRESCRIBING THE INDEPENDENT AUTHORITY OF MUNICIPALITIES IN RESPECT OF PUBLIC EDUCATION, &c.

[b] *Notn. No. 2585, Educational, dated 6th December 1894, B. G. G., 1894, Pt. I, p. 1233.*

In supersession of the rules published by Government Notification No. 129, dated 26th January 1887, and with reference to Government Notification No. 2433, dated 6th November 1893, the following rules made in exercise of the powers conferred under Section 24 of the Bombay District Municipal Act, 1873, as amended by Section 49 (*e*) of the Bombay District Municipal Act Amendment Act, 1884, to prescribe the extent of the independent authority of Municipalities in respect of public education, and the relations of Municipalities with the Government Educational Department, are published for general information:—

Rules laid down by Government under Section 24 of the Bombay District Municipal Act of 1873.

1. The powers and duties of every Municipality in respect of the establishment and maintenance of schools may, subject to the reservations and conditions hereinafter contained, and subject to such alterations as may from time to time be made under the authority of Government on this behalf, be delegated to a Committee, which shall be called "the Schools Committee",

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[a] See foot-note [a] on page 359, *supra*.

[b] This Notification, issued under Bombay Act VI of 1873, as amended by Bombay Act II of 1884, is kept in force by Bombay Act III of 1901, Section 2 (*1*) (*b*).

and shall be constituted according to the rules made under Section 32 of the District Municipal Act Amendment Act (Bombay II of 1884).

2. The principles and system of school management, the course of instruction to be followed, and the rates of salary to be given to the various grades of masters in Municipal Schools, shall be those prescribed by the Educational Department under the authority of Government in the Codes for Vernacular Masters and Training Colleges, and in Chapter I and Schedules of the Grant-in-aid Code, so far as the same may be applicable: provided that to meet local requirements, with the previous consent of the Director of Public Instruction, any Municipality may adopt such modifications as may be found to be necessary or expedient. In case of doubt as to the application of any principle or rule the decision of the Director of Public Instruction shall be followed subject to an appeal to Government, whose decision shall be final and conclusive.

3. Municipal Schools shall, subject to the proviso in Rule 2, be provided for all castes and classes of the community, and shall be open to inspection and examination at all times by the Government Inspecting Staff. The Municipality shall in each case make suitable arrangements in communication with the Inspector for the annual examination required by the Educational Department.

4. In the Budegt Estimate of every Municipality prepared under Section 88 of the Bombay District Municipal Act of 1873, as amended by clause (*j*) of Section 49 of the Bombay District Municipal Act Amendment Act, 1884, there shall be a separate section for educational income and expenditure. A copy of that section, with full details of both income and expenditure, and of all variations and alterations made from time to time shall be forwarded to the Educational Inspector as soon as conveniently may be after the general meeting at which such Budget Estimate, variation or alteration is passed. The School Fund shall be kept distinct from the general Municipal Fund and in the annual accounts rendered under Section 90 of the said Act, there shall also be a separate section under the head Education. A copy of this section shall be forwarded yearly to the Government Educational Inspector of the Division as soon as possible after the accounts have been audited and passed.

5. In the Budget Estimate and in the annual accounts shall be set forth in separate parts the receipts and expenditure:—

(1) for schools within the contract *;

(2) for schools not within the contract, but maintained or aided from the Municipal Fund with or without a Government grant;

(3) for any other educational purposes not included in the above, but coming under Section 24, clauses (15), (16) or (21) of Act VI of 1873.

Under the head of 'Receipts' shall be shown separately—

(*a*) balance of School Fund unexpended and carried forward;

(*b*) the Government contract grant;

(*c*) the fee receipts of schools;

* The contract grant is a sum of money paid at the discretion of Government for the support of a certain number of primary schools said to be within the contract.

(*d*) the sum assigned and paid to the Municipality under Section 47 of the Bombay District Local Boards Act, 1884, which is to be expended on educational purposes under the second paragraph of that section;

(*e*) any other contribution made by Government or by a Local Board, and any other income received by the Municipality for expenditure on or for the benefit of the said schools, or accruing from the said schools;

(*f*) the allotment made by the Municipality in the year of account from receipts of the Municipal Fund other than receipts under (*a*), (*b*), (*c*), (*d*), and (*e*) for expenditure on or for the benefit of the said schools.

6. The Budget Estimate and annual accounts shall be rendered in such detail as may be set forth in forms prescribed from time to time by the Governor in Council.

7. In all questions relating to pension, leave, and pay, and acting allowances the rules from time to time in force for the Government uncovenanted services shall be applicable to every member of a school establishment, who has been or may be transferred from the Educational Department, and who was permanently employed by that Department on a salary of more than Rs. 10.

In Municipal Schools so long as persons who hold certificates recognised by the Educational Department or who are already in receipt of pensionable salaries under Government are procurable, no persons not so qualified shall be employed on a salary of more than Rs. 10. It shall be incumbent on every Municipality engaging a teacher as aforesaid to make provision for his pensionary rights and leave allowances, in accordance with the rules in this behalf from time to time prescribed by Government, and every such teacher shall have the same rights in respect of pension, leave allowances, dismissal and transfer as if he were an officer lent to the Municipality. In filling up places of non-pensionable pay, the Municipality shall give the preference to those who have passed an examination qualifying for the Public Service, or who have been useful teachers.

Explanation.—In reference to the obligation as to the employment of certificated persons recited in this rule, it must be understood that all teachers on a salary of more than Rs. 10, whether first employed by the Educational Department in Government and Local Board Schools or whether first employed by the Municipalities in their primary and industrial schools, are interchangeable. The Municipalities must, therefore, limit their choice of new teachers to (1) Teachers who hold certificates issued by a *Training Institution and signed by an Educational Inspector and (2) Teachers who hold a Drawing Master's Certificate from the Jamsetji Jijibhai School of Art or a final certificate for any course taught in the College of Science, the Dayárám Jethmal Sind College, the Jamsetji Jijibhai School of Art, or the Victoria Jubilee Technical Institute.

*A Municipality can send candidates to the Government Training Colleges provided (1) the candidates are accepted as properly qualified by the Educational Inspector and the Educational Inspector has room for them, and (2) the Municipality provides the usual stipend, and engages to employ the candidates for five years after passing for a certificate.

8. Subject to Rule 7, the appointment, promotion, punishment, suspension and dismissal of all members of the establishments of Municipal

Schools shall rest with the Municipality or the Schools Committee to whom such power may be delegated : provided that no officer in receipt of a salary exceeding ten rupees per month shall be dismissed or have his salary permanently reduced or be retransferred to the Educational Department without the previous sanction of the Municipality.

9. In order that the less advanced Municipalities may be relieved of responsibilities which they are not yet prepared to bear, any such Municipality may apply to the Director of Public Instruction, and on such application the administration of its schools in the matter of appointment, promotion, punishment, suspension and dismissal of all members of the establishments of Municipal Schools may be conducted by the Government Educational Department.

10. The scale of school fees payable in any Municipal School shall not, without the previous consent of the [a] Educational Inspector [a] be increased above, or reduced below, that existing at the time of the transfer of such school to the Municipality. Free-studentships in primary or secondary schools maintained or aided by a Municipality shall be distributed according to the rule prescribed in the Vernacular Masters' Code, and scholarships paid from Municipal Funds shall be allotted on the same principle. But it shall be allowable to consider all the schools of the same class (primary or secondary) together, and if suitable claimants do not come forward the allotted places shall remain vacant.

11. As to all Departmental matters other than those referred to in Rule 2 as to which the ruling of the Educational Department is obligatory, every Municipality shall give full consideration to the representations of the Educational Department and shall make a written reply within a reasonable time stating its reasons in case it dissents from the views set forth in such representations.

12. With a view to the promotion of private schools and as an aid to the provision of the adequate system of primary instruction which is required by law, every Municipality shall keep a register of primary schools not included in the contract as Municipal Schools, to be recommended by them from time to time for maintenance under the Grant-in-aid system according to the Code of rules from time to time prescribed and published by Government: provided that a Municipality shall not interfere in any way with such schools as do not desire to receive aid or to be subject to its supervision.

13. A detailed statement of all employés in Municipal Schools, with their salaries and all other items of recurring expenditure, shall be maintained by each Municipality and shall be at all times open to the inspection of the Government Educational Inspector.

14. Every Municipality shall furnish without delay all returns, statistics and any other information relating to municipal Schools which may be called for by the Educational Inspector.

[a—a] The words "Educational Inspector" were substituted for the words "Director of Public Instruction" by Government Notification No. 498, Educational, dated 27th February 1909, *B. G. G.*, 1909, Pt. I, p. 346.

[a] *Commissioner, Notn. No. 1533, dated 13th July 1895, S. O. G., 1895, Pt. I-A, p. 3.*

In supersession of Notification No. 1662, dated 4th November 1886, published at pages 35 to 42 of the *Sind Official Gazette*, Part I-A, of the 11th idem, and with reference to Notification No. 2829 of the 22nd November 1893, published at pages 27 and 28 of the *Sind Official Gazette*, Part I-A, of the 30th idem, the Acting Commissioner in Sind, in virtue of the powers enabling him in this behalf, is pleased to declare that the following rules, approved by His Excellency the Governor of Bombay in Council, for regulating, under Section 24 of the Bombay District Municipal Act, the management of Municipal schools, and published at pages 1233 to 1235 of the *Bombay Government Gazette*, Part I, of the 13th December 1894, shall also apply under the authority of that section to all Municipalities in Sind:—

Rules made under Section 24(1) of the Bombay District Municipal Act of 1873.

(*Vide* Rules printed on pages 881 to 884, *supra*.)

RULES AND ORDERS UNDER BOMBAY ACT I OF 1905.

(COURT OF WARDS.)

DECLARING THE MEWÁSI CHIEFS IN THE WEST KHANDESH DISTRICT TO BE LAND-HOLDERS FOR THE PURPOSES OF THE ACT.

Notn. No. 2157, Revenue, dated 27th February 1908, B. G. G., 1908, Pt. I, p. 288.

In exercise of the powers conferred by clause (*b*) (*ii*) of section 2 of the Bombay Court of Wards Act, 1905 (Bombay I of 1905), the Governor in Council is pleased to declare that the Mewási Chiefs in the West Khándesh District belong to a class of which the members are land-holders for the purposes of the said Act.

APPOINTING THE AGENT TO THE MEWASI ESTATES TO BE THE COURT OF WARDS FOR THE SCHEDULED DISTRICT OF THE MEWASI CHIEFS' VILLAGES.

Notn. No. 2156, Revenue, dated 27th February 1908, B. G. G., 1908, Pt. I, p. 288.

In exercise of the powers conferred by clause (*c*) of section 3 of the Bombay Court of Wards Act, 1905 (Bombay I of 1905), the Governor in Council is pleased to appoint the Agent to the Mewási Estates to be the Court of Wards for the Scheduled District of the Mewási Chiefs' villages as

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[a] See footnote [b] on page 881, *supra*.

(1) The powers of Government under this section are in Sind exercised by the Commissioner in Sind.